

REMARKS/ARGUMENTS

At the time of the Office Action dated June 2, 2008 (hereinafter, "Office Action"), claims 1-49 were pending in the present application. In the Office Action, claims 1-49 were rejected under 35 U.S.C. § 103(a). By this paper, claims 1, 18, 21, 38 and 41 are being amended. No claims are being added or canceled.

Applicant respectfully responds to the Office Action.

A. Claims 1-5, 7, 9, 10, 15-25, 27, 29, 30, 35-43 and 47-49 Rejected Under 35 U.S.C. § 103(a)

Claims 1-5, 7, 9, 10, 15-25, 27, 29, 30, 35-43 and 47-49 stand rejected under 35 U.S.C. § 103(a) based on U.S. Patent Application Publication No. 2002/0075572 to Boreczky et al. (hereinafter, "Boreczky") in view of U.S. Patent No. 6,711,741 to Yeo (hereinafter, "Yeo"). Applicant respectfully requests reconsideration in view of the above claim amendments and the following remarks.

The factual inquiries that are relevant in the determination of obviousness are determining the scope and contents of the prior art, ascertaining the differences between the prior art and the claims in issue, resolving the level of ordinary skill in the art, and evaluating evidence of secondary consideration. KSR Int'l Co. v. Teleflex Inc., 550 U.S. ___, 2007 U.S. LEXIS 4745, at **4-5 (2007) (citing Graham v. John Deere Co. of Kansas City, 383 U.S. 1, 17-18 (1966)). As the Board of Patent Appeals and Interferences has recently confirmed, "obviousness requires a suggestion of all limitations in a claim." In re Wada and Murphy, Appeal 2007-3733 (citing CFMT, Inc. v. Yieldup Intern. Corp., 349 F.3d 1333, 1342 (Fed. Cir. 2003)). Moreover, the analysis in support of an obviousness rejection "should be made explicit." KSR, 2007 U.S. LEXIS 4745, at **37. "[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." Id. (citing In re Kahn, 441 F.3d 977, 988 (Fed. Cir. 2006)).

Claim 1 is directed to a “method for enhancing navigation of a video.” The method of claim 1 relates to “display[ing] a ... navigation video strip,” where the “navigation video strip comprises a ... plurality of video frames from the video.” Claim 1 previously recited “obtaining the ... plurality of video frames by requesting the specific video frames from the server.” Claim 1 has been amended to recite that “requesting the specific video frames from the server” involves “sending separate play requests for the video frames in accordance with a video streaming protocol.” This amendment is supported by at least paragraphs [50] and [51] of Applicant’s specification. Thus, amended claim 1 recites using a “video streaming protocol” to “obtain[] ... specific video frames.” This is not taught or suggested by the cited references, nor would it have been obvious to one having ordinary skill in the art.

The Examiner correctly acknowledges that Boreczky does not teach or suggest “requesting ... specific video frames from the server,” as recited in claim 1. (Office Action, page 3.) It logically follows, therefore, that Boreczky also does not teach or suggest that the video frames are requested “by sending separate play requests for the video frames in accordance with a video streaming protocol,” as recited in amended claim 1.

As the Examiner correctly points out, Matsui refers to the Real-Time Streaming Protocol (RTSP). (See Office Action, page 9.) RTSP is a video streaming protocol. However, Matsui does not teach or suggest the use of RTSP to “obtain[] ... specific video frames,” as recited in amended claim 1. Instead, Matsui merely describes the use of RTSP in the typical manner, namely, to request video streams.

For example, Matsui refers to “a message Mrtsp specifying a desired video stream is transmitted as an RTSP signal to the server.” (Matsui, col. 16, lines 14-16.) Thus, this portion of Matsui describes the use of RTSP to “specify[] a desired video stream,” but not to “obtain[] ... specific video frames,” as recited in amended claim 1.

Matsui also states: “In the server 100a, the RTSP message signal Mrtsp from the receiving terminal 200a is received by the RTSP message transmission/reception unit 102, and the data designation signal Sc is outputted to the RTP data transmission unit 103. In the transmission unit

103, a predetermined video file is selected from the plural video files stored in the data storage unit 120 on the basis of the data designation signal Sc, and transmitted as RTP data Drtp.” (Matsui, col. 18, lines 1-8.) Thus, this portion of Matsui describes an “RTSP message signal” causing a “predetermined video file” to be “transmitted as RTP data.” However, this portion of Matsui does not teach or suggest the use of RTSP to “obtain[] ... specific video frames,” as recited in amended claim 1.

Thus, even if Boreczky and Matsui were combined, the resulting combination still would not include “obtaining ... specific video frames ... by sending separate play requests for the video frames in accordance with a video streaming protocol,” as recited in amended claim 1. This feature is both novel and non-obvious with respect to the prior art.

For at least the foregoing reasons, Applicant respectfully submits that claim 1 is allowable. Accordingly, Applicant respectfully requests that the rejection of claim 1 be withdrawn.

Claims 2-5, 7, 9, 10 and 15-17 depend from claim 1. Claims 18, 21, 38 and 41 have been amended to include subject matter that is similar to the subject matter that was discussed above in relation to claim 1. Claims 19-20 depend from claim 18. Claims 22-25, 27, 29-30 and 35-37 depend from claim 21. Claims 39-40 depend from claim 38. Claims 42-43 and 47-49 depend from claim 41. Accordingly, Applicant respectfully requests that the rejection of claims 2-5, 7, 9, 10, 15-25, 27, 29, 30, 35-43 and 47-49 be withdrawn for at least the same reasons as those presented above in relation to claim 1.

B. Claims 6 and 26 Rejected Under 35 U.S.C. § 103(a)

Claims 6 and 26 stand rejected under 35 U.S.C. § 103(a) based on Boreczky in view of Yeo, and further in view of U.S. Patent Application Publication No. 2002/0140719 to Amir et al. (hereinafter, “Amir”). Claim 6 depends from claim 1. Claim 26 depends from claim 21, which has been amended to include subject matter that is similar to the subject matter described above in relation to claim 1. Accordingly, Applicant respectfully requests that the rejection of claims 6 and 26 be withdrawn for at least the same reasons as those presented above in relation to claim 1.

C. Claims 8 and 28 Rejected Under 35 U.S.C. § 103(a)

Claims 8 and 28 stand rejected under 35 U.S.C. § 103(a) based on U.S. Patent Application Boreczky in view of Yeo, and further in view of U.S. Patent No. 7,366,241 to Matsui (hereinafter, "Matsui"). Claim 8 depends from claim 1. Claim 28 depends from claim 21, which has been amended to include subject matter that is similar to the subject matter described above in relation to claim 1. Accordingly, Applicant respectfully requests that the rejection of claims 8 and 28 be withdrawn for at least the same reasons as those presented above in relation to claim 1.

D. Claims 11-14, 31-34 and 44-46 Rejected Under 35 U.S.C. § 103(a)

Claims 11-14, 31-34 and 44-46 stand rejected under 35 U.S.C. § 103(a) based on Boreczky in view of U.S. Patent No. 6,747,674 to Asami (hereinafter, "Asami"). Claims 11-14 depend from claim 1. Claims 31-34 depend from claim 21, which has been amended to include subject matter that is similar to the subject matter described above in relation to claim 1. Claims 44-46 depend from claim 41, which has also been amended to include subject matter that is similar to the subject matter described above in relation to claim 1. Accordingly, Applicant respectfully requests that the rejection of claims 11-14, 31-34 and 44-46 be withdrawn for at least the same reasons as those presented above in relation to claim 1.

E. Conclusion

Applicant respectfully asserts that all pending claims are allowable over the cited references, and requests that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Wesley L. Austin', written in a cursive style.

/Wesley L. Austin/

Wesley L. Austin
Reg. No. 42,273
Attorney for Applicant

Date: September 2, 2008

MADSON & AUSTIN
15 West South Temple, Suite 900
Salt Lake City, Utah 84101
Telephone: (801) 537-1700